

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-02213-CRC**

ENVIRONMENTAL DEFENSE FUND v. UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
Assigned to: Judge Christopher R. Cooper
Cause: 05:552 Freedom of Information Act

Date Filed: 07/25/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**ENVIRONMENTAL DEFENSE FUND**

represented by **Alexandra G. Elenowitz-Hess**
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V.

Defendant

**UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY**

represented by **Joshua L. Rogers**
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Date Filed	#	Docket Text
07/25/2019	<u>1</u>	COMPLAINT against UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 400 receipt number 0090-6277077) filed by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Civil Cover Sheet, # <u>5</u> Summons)

		Summons for EPA, # <u>6</u> Summons Summons for Dep't of Justice, # <u>7</u> Summons Summons for U.S. Att'y)(Levitan, Benjamin) (Entered: 07/25/2019)
07/25/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ENVIRONMENTAL DEFENSE FUND (Levitan, Benjamin) (Entered: 07/25/2019)
07/26/2019		Case Assigned to Judge Christopher R. Cooper. (zjd) (Entered: 07/26/2019)
07/26/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent)(zjd) (Entered: 07/26/2019)
08/02/2019	<u>4</u>	NOTICE of Appearance by Joshua L. Rogers on behalf of UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Rogers, Joshua) (Entered: 08/02/2019)
08/07/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY served on 7/29/2019 (Attachments: # <u>1</u> Exhibit)(Levitan, Benjamin) (Entered: 08/07/2019)
08/07/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/30/2019. (Attachments: # <u>1</u> Exhibit)(Levitan, Benjamin) (Entered: 08/07/2019)
08/07/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/30/2019. Answer due for ALL FEDERAL DEFENDANTS by 8/29/2019. (Attachments: # <u>1</u> Exhibit)(Levitan, Benjamin) (Entered: 08/07/2019)
08/29/2019	<u>8</u>	ANSWER to Complaint by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.(Rogers, Joshua) (Entered: 08/29/2019)
09/04/2019		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties promptly confer and file a joint proposed schedule for briefing or disclosure by September 19, 2019. Signed by Judge Christopher R. Cooper on 09/04/2019. (lccrc3) (Entered: 09/04/2019)
09/04/2019		Set/Reset Deadlines: Proposed Briefing Schedule due by 9/19/2019 (lsj) (Entered: 09/04/2019)
09/19/2019	<u>9</u>	PROPOSED BRIEFING SCHEDULE by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 09/19/2019)
09/20/2019	<u>10</u>	ORDER setting summary judgment briefing schedule. See full Order for details. Signed by Judge Christopher R. Cooper on 09/19/2019. (lccrc3) (Entered: 09/20/2019)
09/23/2019		Set/Reset Deadlines: Summary Judgment motions due by 11/1/2019. Response to Motion for Summary Judgment due by 11/25/2019. Reply to Motion for Summary Judgment due by 12/16/2019. Replies due by 1/6/2020. (lsj) (Entered: 09/23/2019)
10/31/2019	<u>11</u>	First MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 10/31/2019)
11/01/2019	<u>12</u>	RESPONSE re <u>11</u> First MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> filed by ENVIRONMENTAL DEFENSE FUND. (Levitan, Benjamin) (Entered: 11/01/2019)
11/01/2019		MINUTE ORDER: The parties are hereby ORDERED to appear for a telephonic conference regarding <u>11</u> Government's Motion for Extension of Time on Tuesday, November 5, 2019 at 12:00 PM. Dial-in information will be provided separately. Signed by Judge Christopher R. Cooper on 11/1/2019. (lccrc3) (Entered: 11/01/2019)
11/04/2019		Set/Reset Hearings: Telephone Conference set for 11/5/2019 at 12:00 PM before Judge Christopher R. Cooper. (lsj) (Entered: 11/04/2019)

11/05/2019	<u>13</u>	NOTICE of Appearance by Alexandra G. Elenowitz–Hess on behalf of ENVIRONMENTAL DEFENSE FUND (Elenowitz–Hess, Alexandra) (Entered: 11/05/2019)
11/05/2019		MINUTE ORDER: As discussed during today's telephonic hearing on <u>11</u> Government's motion to extend the present briefing schedule, the Government is hereby directed to confer with agency counsel as to the validity of the agency's Exemption 5 redactions and to file a Status Report on or before Tuesday, November 12, 2019 advising whether summary judgment briefing will still be necessary. The Court will defer ruling on the Government's extension request until it receives the Status Report. Signed by Judge Christopher R. Cooper on 11/5/2019. (lccrc3) (Entered: 11/05/2019)
11/12/2019	<u>14</u>	STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Rogers, Joshua) (Entered: 11/12/2019)
11/14/2019		MINUTE ORDER: In light of <u>14</u> Government's Status Report, Plaintiff is hereby ORDERED to file a notice with the Court by Wednesday, November 20, 2019 indicating whether the Government's production has resolved the dispute. Signed by Judge Christopher R. Cooper on 11/14/2019. (lccrc3) (Entered: 11/14/2019)
11/14/2019		Set/Reset Deadlines: Status Report due by 11/20/2019 (lsj) (Entered: 11/14/2019)
11/20/2019	<u>15</u>	NOTICE OF SUBSTITUTION OF COUNSEL by William J. Chang on behalf of UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Substituting for attorney Joshua Rogers (Chang, William) (Entered: 11/20/2019)
11/20/2019	<u>16</u>	ENTERED IN ERROR. . . .First STATUS REPORT by ENVIRONMENTAL DEFENSE FUND. (Elenowitz–Hess, Alexandra) Modified on 11/21/2019 (ztd). (Entered: 11/20/2019)
11/21/2019		NOTICE OF ERROR re <u>16</u> Status Report; emailed to ahess@shertremonte.com, cc'd 2 associated attorneys -- The PDF file you docketed contained errors: 1. Please refile document, 2. Please refer to to LcvR 5.1(a) regarding Correspondence with the Court. (ztd,) (Entered: 11/21/2019)